

WARRICK COUNTY COMMISSIONERS ORDINANCE # 2021-26

PLAN COMMISSION DOCKET # PC-R-21-04

AN ORDINANCE TO AMEND THE WARRICK COUNTY, INDIANA  
COMPREHENSIVE ZONING ORDINANCE BY REZONING CERTAIN  
REAL ESTATE IN WARRICK COUNTY, INDIANA

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF WARRICK COUNTY,  
INDIANA:

Section 1. That the Warrick County, Indiana Comprehensive Zoning Ordinance and the Warrick County Zoning District Maps dated February 1, 2005, and made a part of said Ordinance, be and the same are hereby amended as follows:

That the boundaries of the "R-1A" One Family Dwelling Zoning District, as shown on said Warrick County Zoning District Maps, be amended as to the following described real estate:

Part of the Southeast Quarter of the Southwest Quarter of Section 10,  
Township 7 South, Range 8 West in Anderson Township in the Town of Yankeetown,  
Warrick County, Indiana being more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of Section 10, Township 7 South, Range 8 West; thence along the west line thereof, North 00 degrees 54 minutes 01 seconds East 368.94 feet to a point in the extended Walnut Street; thence along said extended Walnut Street and continuing along Walnut Street, South 88 degrees 27 minutes 25 seconds East 1694.22 feet to the southwest corner of tract of land conveyed to Jacob K. and Dawn E. Bacon in Document Number 2016R-005965; thence along the west line thereof, North 00 degrees 49 minutes 06 seconds East 80.49 feet to the point of beginning, point also being the southwest corner of tract of land conveyed to Jeramy and Misty Horrom in Document Number 2020R-011064; thence along the perimeter of said Horrom Tract the remaining calls, thence North 00 degrees 49 minutes 06 seconds East 100.00 feet; thence South 89 degrees 04 minutes 01 seconds East 76.75 feet; thence South 11 degrees 12 minutes 42 seconds East 87.97 feet; thence North 89 degrees 04 minutes 01 seconds West 54.33 feet; thence South 00 degrees 49 minutes 06 seconds West 14.00 feet; thence North 89 degrees 04 minutes 01 seconds West 40.75 feet; to the point of beginning containing 0.18 Acres (7,959 sq.ft.) Subject to any easements and right of ways of record.

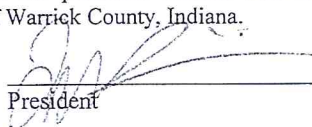
Subject to all existing rights-of-way and/or easements of record.

which real estate is now zoned and classified as part of the "R-1A" One Family Dwelling Zoning District, as shown on the aforesaid Warrick County Zoning District Maps, so that said above described real estate shall be and the same is hereby rezoned and reclassified from said "R-1A" District to said "C-3" Highway Commercial Zoning District with a Use & Development Commitment.

Section 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Warrick, State of Indiana.

Section 4. The subject property herein rezoned shall be used and developed only in accordance with the use and development commitment which is attached hereto and incorporated herein and no improvement location permits shall be issued until the petitioner records said use and development commitment in the office of the Recorder of Warrick County, Indiana.

  
President

Jim Say  
Member  
[Signature]  
Member  
BOARD OF COMMISSIONERS  
WARRICK COUNTY, INDIANA

ATTEST:

Deborah K. Stevens  
County Auditor

7/12/21  
Date Approved

I affirm under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Misty Johnson  
Signature  
This document prepared by \_\_\_\_\_

Misty Johnson  
Printed Name

## USE AND DEVELOPMENT COMMITMENT

WHEREAS the Undersigned, Megan Wolfe, Petitioner, and Jeramy & Misty Horrom, owner of certain real estate situated in the County of Warrick, Indiana commonly described as 7901 Yankeetown Rd, which real estate is more particularly described as follows, to wit:

Part of the Southeast Quarter of the Southwest Quarter of Section 10, Township 7 South, Range 8 West in Anderson Township in the Town of Yankeetown, Warrick County, Indiana being more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of Section 10, Township 7 South, Range 8 West; thence along the west line thereof, North 00 degrees 54 minutes 01 seconds East 368.94 feet to a point in the extended Walnut Street; thence along said extended Walnut Street and continuing along Walnut Street, South 88 degrees 27 minutes 25 seconds East 1694.22 feet to the southwest corner of tract of land conveyed to Jacob K. and Dawn E. Bacon in Document Number 2016R-005965; thence along the west line thereof, North 00 degrees 49 minutes 06 seconds East 80.49 feet to the point of beginning, point also being the southwest corner of tract of land conveyed to Jeramy and Misty Horrom in Document Number 2020R-011064; thence along the perimeter of said Horrom Tract the remaining calls, thence North 00 degrees 49 minutes 06 seconds East 100.00 feet; thence South 89 degrees 04 minutes 01 seconds East 76.75 feet; thence South 11 degrees 12 minutes 42 seconds East 87.97 feet; thence North 89 degrees 04 minutes 01 seconds West 54.33 feet; thence South 00 degrees 49 minutes 06 seconds West 14.00 feet; thence North 89 degrees 04 minutes 01 seconds West 40.75 feet; to the point of beginning containing 0.18 Acres (7,959 sq.ft.) Subject to any easements and right of ways of record.

WHEREAS, as the real estate is currently classified as an "R-1A" One Family Dwelling Zoning district under the Warrick County Zoning Code and is so indicated on the zoning maps maintained by the staff of the Warrick County Area Plan Commission; and

WHEREAS, Petitioner has requested that the Real Estate be reclassified to zoning district "C-3" Highway Commercial with a Use and Development Commitment; and

WHEREAS, Petitioner is desirous of accommodating the concerns of the surrounding property owners by making a written commitment concerning the use and development of the Real Estate pursuant to I.C. 36-7-4-613;

NOW, THEREFORE, in consideration of the foregoing, petitioner makes the following use and development commitment:

1. Use of the Real Estate shall be limited to the following uses:

A dog grooming business and any accessory uses; also any uses allowed in "R-1A" One Family Dwelling Zoning District.

2. Use of the Real Estate shall be limited to the following development requirements:

None

3. All commitments and undertakings herein expressed shall be binding on the petitioners and the petitioners' heirs, legal representative, successors and assigns, and shall run in the favor of the Area Plan Commission of Warrick County and all the owners of real estate lying within the radius of one (1) mile from the real estate described and shall be enforced by invoking any legal, equitable or special remedy, including specific performance, injunction or equitable relief pursuant to the manner of enforcement as set forth in I.C. 36-7-4-613, 36-7-4-1013, and 36-7-4-1014. If it is necessary to initiate administrative or judicial proceedings to

enforce any such commitment or undertaking, the person or entity obtaining enforcement in such proceedings shall also recover its reasonable attorneys' fees and costs of suit from the undersigned.